

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of Bernard  
L. Madoff,

Plaintiff,

v.

STANLEY SHAPIRO, *et al.*,

Defendants.

Adv. Pro. No. 10-05383 (SMB)

**SO-ORDERED AMENDMENT TO CASE MANAGEMENT PLAN**

**WHEREAS**, pursuant to Federal Rules of Civil Procedure 16 and 26, as incorporated into Federal Rules of Bankruptcy Rules 7016 and 7026, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, and Defendant Stanley Shapiro and the other defendants named in the instant proceeding (collectively, the “Shapiro Family,” and together

with the Trustee, the “Parties”) previously stipulated to the initial Case Management Plan entered by this Court (ECF No. 68) and certain amendments thereto (ECF Nos. 71, 72, 76, 90, and 113);

**WHEREAS**, the Parties seek additional time to complete fact and expert discovery, and

**WHEREAS**, on January 23, 2019, the Court heard the Parties on their respective requests for additional time to complete fact and expert discovery and set certain deadlines from the bench;

**NOW THEREFORE**, it is hereby stipulated and agreed by and between the Parties, through their respective undersigned counsel, and **SO ORDERED** by the Court, that:

(i) the deadline for fact discovery shall be extended from January 31, 2019 to **April 30, 2019**;

(ii) the deadline for the Parties to make disclosures of expert testimony shall be extended from March 31, 2019 to **May 31, 2019**;

(iii) the deadline for the Parties to make disclosures of opposition expert testimony shall be extended from April 30, 2019 to **July 1, 2019**;

(iv) the deadline for the Parties to depose expert witnesses shall remain **July 31, 2019**;

(v) the Parties shall submit a final pre-trial order by **August 15, 2019**;

(vi) the final pre-trial conference shall be held on **August 29, 2019**;

(vii) the status conference currently scheduled before the Court for February 7, 2019 shall be adjourned;

(viii) all other discovery and further deadlines provided for in the Case Management Plan and amendments thereto shall remain unchanged;

(ix) there shall be no further extensions of any of the foregoing dates; and

(x) failure to comply with the deadlines set forth in this Order may subject the non-complying party to sanctions, including, but not limited to, judgment being entered against such party.

Dated: January 25, 2019  
New York, New York

**BAKER & HOSTETLER LLP**

By: /s/ Torello H. Calvani  
45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Torello H. Calvani  
Email: tcalvani@bakerlaw.com

*Attorneys for the Trustee*

**LAX & NEVILLE LLP**

By: /s/ Barry R. Lax  
1450 Broadway, 35<sup>th</sup> Floor  
New York, NY 10018  
Telephone: (212) 696-1999  
Facsimile: (212) 566-4531  
Barry R. Lax  
Email: blax@laxneville.com  
Brian J. Neville  
Email: bneville@laxneville.com  
Robert Miller  
Email: rmiller@laxneville.com

*Attorneys for Defendants*

SO ORDERED this 7<sup>th</sup> day of **February**, 2019.

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE